

# Australia: Health workers and residents fight Southern Cross Care in Tasmania

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Southern Cross Care (SCC), one of Tasmania's largest employers, is involved in a long-running industrial dispute with staff while attempting to silence angry complaints about conditions from residents in at least one of the age-care facilities it runs.

The not-for-profit provider operates nine aged care homes and 14 assisted living services with over 1,300 full time and part time workers. Employees are covered by two unions, the Australian Nursing and Midwifery Federation (ANMF) and the Health and Community Services Union (HACSU), which are currently involved in enterprise bargaining negotiations.

The dispute has been underway since the beginning of 2020 when HACSU served a log of claims on the company and saw negotiations drag on without resolution until this year. In February, SCC management indicated that it wanted to remove 30-minute paid meal breaks.

In June, the company presented its own log of claims, which included eliminating the paid meal breaks, cuts to Sunday penalty rates (from double time to time and three quarters), reduction of night-shift penalty rates from 19 percent to 10-15 percent and afternoon penalty rates from 15 percent to 10-12.5 percent.

The company also proposed a 1.5 percent wage "increase" each year for three years, starting in December 2021 which meant that the lowest paid employee would earn only \$21.67 an hour in 2022 and \$22.33 in December 2023.

These proposals were rejected by staff, forcing union officials to denounce the company offer as "absolutely brazen" and "paltry." SCC has assets of \$125 million, even though it is a religious, "not-for-profit" company.

SCC also called for removal of redundancy entitlements, such as the "need to consult" over redundancy arrangements, which in practice would mean consultation with the union. Early this month, HACSU reported that the company had withdrawn proposals to cut

Sunday penalty rates and to reduce night shift and afternoon penalty rates but made no changes to its so-called wage offer.

While the HACSU state secretary Tim Jacobson raised the possibility of industrial action to date all the union has done is mount a "Our care is not worthless" petition, and refer SCC to Fair Work Australia over a specific clause of the company's log of claims.

SCC management's determination to increase the exploitation of its workforce is mirrored by its brutal treatment of residents as testified by its attempts to silence Brian Halpin, an elderly SCC resident.

The dispute between the company and 73-year-old Halpin, who lives in the Yaraandoo Hostel at Somerset, northern Tasmania, has gained widespread media coverage. A resident of six years, Halpin has publicly raised concerns about conditions at the home, something two other residents had done in earlier months, concerns that were endorsed by the HACSU.

HACSU noted that "it was unprecedented for residents to come out publicly and call on the [SCC] CEO to resign, but the CEO left them no other choice. Publicly blaming what she [the CEO] claims is a 'small group of residents,' in effect calling them liars, is a new low. We support Southern Cross residents and their calls for change."

SCC management attempted to both silence and punish Halpin by applying to the Guardianship and Administration Board to have a guardian appointed to oversee Halpin as a disabled person. He responded by asking the board to appoint his daughter as guardian. The board ruled, however, on August 2 that he did not need a guardian.

"What it means is I can do what I bloody well like," Halpin said after the hearing. "I now have a purpose in life: to represent the concerns and rights of the residents of this home—60 percent of whom cannot speak up for

themselves.”

Last month, Halpin reported that staff were often in tears because they could not provide the care they wanted to but did a fantastic job under the circumstances. “I told them that we’ve run out of options to protect ourselves,” he said.

“Bells are going unanswered and residents are being left in bed until lunchtime because they [SCC] cut hours and refuse to roster enough staff on. Staff are going above and beyond but now they’ve got them delivering food rather than care. It’s so bad that morning and afternoon tea are now listed as ‘lifestyle activities.’”

Halpin has organised monthly meetings in the home where residents can raise concerns. According to HACSU, chronic short staffing had meant residents left in incontinence pads for hours and chronic dehydration is also an issue, with care staff forced to spend hours daily delivering water rather than delivering hands-on care.

HACSU Tasmania’s website, which announced the board’s decision confirming Halpin’s independence, published dozens of congratulatory messages. One from Lyn Jenkins stated: “Their next move will be to evict him as ‘too high needs.’ The sheer arrogance of a company, thinking they would get guardianship over a person speaking out against them.”

Glenda Powell said: “I put in a complaint about a family member in Yaraandoo. His care improved a bit, but it’s gone downhill again. These people need to get their act together and make sure the right staff are employed and they look after our family members... GET YOUR ACT TOGETHER.”

HACSU wrote to the Aged Care Quality and Safety Commission (ACQC) calling for its intervention. “Yaraandoo is the most-sanctioned facility in Tasmania and is subject to extensive Royal Commission [into Aged Care] hearings—residents need more, not less staff,” it stated.

The Royal Commission into Aged Care was established by Liberal-National Coalition government of Prime Minister Scott Morrison in response to growing anger over the abuse and neglect of elderly residents in numerous nursing homes across Australia and government privatisation of the industry.

While its aim was to channel public anger into the months-long hearings, the Commission was forced to admit that little or nothing had been implemented from 18 enquiries and a royal commission during the previous two decades.

The last royal commission estimated that \$10 to \$20

billion a year was required to implement its recommendations, which the government declared would not happen. The commission pinpointed widespread understaffing but did not propose any staff-patient ratios. The Health Services Union responded to commission’s final report by declaring that “the future looks brighter.”

On August 5, the ACQC announced that it had made a second visit this year to the Yaraandoo Hostel on July 26, in response to complaints that included staffing levels, continence care, infection and hygiene practices, concerns about meals, and cleanliness of the facility. It said a performance report would be issued but that the home had met compliance requirements.

Two days earlier, ANMF Tasmania revealed that it had been contacted by a resident from SCC’s Rivulet facility in Hobart voicing their concerns about over-worked nursing and care staff and staff members and the workers said they were worried resident’s safety was being compromised.

ANMF state secretary Emily Shepherd linked resident and staff concerns to the enterprise agreement negotiations, vaguely suggesting the possibility of industrial action if SCC did not improve working conditions and staffing levels at the facility.

While the anger of staff, residents and relatives is rising over ongoing company attacks on the conditions of the workforce and residents alike, the unions have taken no action over the long-running enterprise agreement negotiations.

Notwithstanding their denunciations of SCC management, they are opposed to unified statewide action by SCC employers and other health care workers but keep them isolated and confined within the enterprise bargaining framework.

In order to end the dangerous and worsening conditions at SCC and other age care facilities workers need to join forces with the residents and their families and form rank-and-file committees, independent of the unions, to fight for properly staffed and equipped age care and public health based on need, not private profit.



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